

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CHARLIE BLUNT

PETITIONER

VS.

CIVIL ACTION NO. 3:13CV575TSL-JCG

HUBERT DAVIS, WARDEN; AND
RON KING, SUPERINTENDENT

RESPONDENTS

ORDER

This cause is before the objections of petitioner Charlie Blunt to the report and recommendation entered by Magistrate Judge John C. Gargiulo on April 24, 2018, recommending that Blunt's § 2254 petition be dismissed with prejudice. Having reviewed the objections, the court concludes that they should be overruled and that the report and recommendation should be adopted as the opinion of the court.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate Judge John C. Gargiulo entered on April 24, 2018, be, and the same is hereby adopted as the finding of this court. Accordingly, it is ordered that the petition for writ of habeas corpus is hereby dismissed with prejudice.

Furthermore, the court concludes that a certificate of appealability shall not issue. Petitioner has failed to demonstrate that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right" and that "jurists of reason would find it

debatable whether [this] court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 31st of May, 2018.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE